

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CYNTHIA THIBAULT AND ROBERT
DEROSTYNE,

Plaintiffs,

v.

MERCK & CO., INC. and NOVARTIS
PHARMACEUTICALS CORPORATION,

Defendants.

Civil Action No.: 1:08-cv-05544

**DEFENDANT'S DISCLOSURE
STATEMENT**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, counsel for Defendant, Novartis Pharmaceuticals Corporation (“NPC”), hereby discloses and certifies that, to the best of my knowledge and belief, the following is a complete list of NPC’s parent corporations and publicly held companies that own 10% or more of NPC’s stock:

1. Parent Companies:

- (a) Novartis Finance Corporation, a New York corporation;
- (b) Novartis Corporation, a New York corporation;
- (c) Novartis Holding, AG, a Swiss company; and
- (d) Novartis AG, a Swiss company, whose American Depository Shares are publicly traded on the New York Stock Exchange.

2. Publicly held companies owning more than 10% of NPC stock:

- (a) Novartis AG indirectly owns a 100% interest in NPC.

Dated: August 11, 2008

Respectfully submitted,

s/ Ethan D. Stein

Ethan D. Stein (ES-7130)
EStein@gibbonslaw.com
GIBBONS P.C.
One Pennsylvania Plaza, 37th Floor
New York, NY 10119-3701
Phone: 212-613-2000
Fax: 212-290-2018
*Counsel for Defendant Novartis
Pharmaceuticals Corporation*

Of counsel:

Joe G. Hollingsworth
Katharine R. Latimer
Robert E. Johnston
SPRIGGS & HOLLINGSWORTH
1350 I Street, NW, Ninth Floor
Washington, D.C. 20005
Phone: (202) 898-5800
Fax: (202) 682-1639

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2008, the Defendant's Disclosure Statement was filed with the Clerk of the Court and served in accordance with the Southern District's Rules on Electronic Service upon the following parties and participants:

Annesley DeGaris
Cory Watson Crowder & DeGaris
2131 Magnolia Avenue, Suite 200
Birmingham, AL 35205

Robert G. Germany
Pittman, Germany, Roberts & Welsh, LLP
410 S. President Street
Jackson, MS 39201

s/ Ethan D. Stein
Ethan D. Stein